

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
)
)
 v.) CRIMINAL ACTION
) NO. 05-40021-FDS
 LEO BEATTY,)
 Defendant,)
)

STATUS REPORT
December 5, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Mr. Beatty's counsel has served the Government with a discovery request. The Government has responded to that request by agreeing to provide some additional discovery but has refused to provide all of the discovery requested by Mr. Beatty. Therefore, if Mr. Beatty seeks further discovery, he must file a discovery motion by December 23, 2005, and the Government shall respond to that motion on January 13, 2006.

2. Further Status Conference/Motion Hearing

A further status conference and hearing on Mr. Beatty's discovery motion shall be held in this case on January 17, 2006, at 2:15 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building,

United States Courthouse, 595 Main Street, Worcester,
Massachusetts.

3. Excludable Time

At the request of the Government and with the assent of counsel for Mr. Beatty, I am excluding from the Speedy Trial Act, the period from November 8, 2005 (date of expiration of prior order of excludable time) through January 13, 2006 (date by which the Government is to file its response to Mr. Beatty's discovery motion). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Friday, March 24, 2006.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE